
01/05/2023

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

In re

DBMP LLC,¹

Debtor.

Chapter 11

Case No. 20-30080 (JCW)

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, and
SANDER L. ESSERMAN, in his capacity as
Legal Representative for Future Asbestos
Claimants,

Plaintiffs,

v.

DBMP LLC and CERTAINTEED LLC,

Defendants.

Adv. Pro. No. 21-03023 (JCW)

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, and
SANDER L. ESSERMAN, in his capacity as
Legal Representative for Future Asbestos
Claimants, each on behalf of the estate of
DBMP LLC,

Plaintiffs,

v.

CERTAINTEED LLC, CERTAINTEED
HOLDING CORPORATION, and
SAINT-GOBAIN CORPORATION,

Defendants.

Adv. Pro. No. 22-03000 (JCW)

¹ The last four digits of the Debtor's taxpayer identification number are 8817. The Debtor's address is 20 Moores Road, Malvern, Pennsylvania 19335.

OFFICIAL COMMITTEE OF ASBESTOS
PERSONAL INJURY CLAIMANTS, on behalf of
the estate of DBMP LLC, and SANDER L.
ESSERMAN, in his capacity as Legal
Representative for Future Asbestos
Claimants, each on behalf of the estate of
DBMP LLC

Plaintiff,

v.

Adv. Pro. No. 22-03001 (JCW)

COMPAGNIE DE SAINT-GOBAIN S.A.,
SAINT-GOBAIN CORPORATION,
SAINT-GOBAIN DELAWARE CORPORATION,
CERTAINTEED LLC, CERTAINTEED
HOLDING CORPORATION, JOSEPH BONDI,
SEAN KNAPP, LAWRENCE RAYBURN,
MICHAEL STARCZEWSKI, VINCENT
DINENNA, ROBERT PANARO, DONALD
MELROY, PIERRE-ANDRÉ DE CHALENDAR,
BENOIT BAZIN, ANTOINE VIGNIAL, HUBERT
REICHARDT, DANIEL BIARNEIX, SREEDHAR
NATARAJAN, GUILLAUME TEXIER, THOMAS
KINISKY, CAROL GRAY, JOHN SWEENEY,
ERIC PLACIDET, MARK RAYFIELD, and
KEITH CAMPBELL,

Defendants.

**NOTICE OF AGENDA OF MATTERS
SCHEDULED FOR HEARING ON JANUARY 5, 2023**

Time of Hearing: 9:30 a.m. (prevailing Eastern Time)

Location of Hearing: Courtroom of the Honorable Judge J. Craig Whitley, United States
Bankruptcy Court for the Western District of North Carolina, Charlotte
Division, JCW Courtroom 2-B, 401 West Trade Street, Charlotte, North
Carolina 28202

CONTESTED MATTER GOING FORWARD IN BASE CASE AND ADVERSARY PROCEEDINGS

1. Case Management Order [Adv. Pro. 21-3023, [Dkt. 94](#); Adv. Pro. 22-3000, [Dkt. 48](#); Adv. Pro. 22-3001, [Dkt. 37](#)].

Status: The Court previously held status conferences on its *in camera* review pursuant to part C.4 of the Case Management Order and on potential next steps regarding privilege issues on October 31, 2022, November 16, 2022 and December 15, 2022. A hearing on next steps in this matter is going forward. In addition, per the Court's request, the parties will be prepared to discuss potential candidates to serve as a discovery referee.

Related Documents:

- A. Correspondence from the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative to the Court, dated July 18, 2022 [[Dkt. 1517](#); Adv. Pro. 21-3023, [Dkt. 122](#); Adv. Pro. 22-3000, [Dkt. 87](#); Adv. Pro. 22-3001, [Dkt. 69](#)] (the "Claimant Representatives' Letter").
- B. Correspondence from the Debtor to the Court in Response to the Claimant Representatives' Letter, dated August 1, 2022 [[Dkt. 1524](#); Adv. Pro. 21-3023, [Dkt. 125](#); Adv. Pro. 22-3000, [Dkt. 92](#); Adv. Pro. 22-3001, [Dkt. 72](#)] (the "Debtor's Letter").
- C. Correspondence from the Official Committee of Asbestos Personal Injury Claimants and the Future Claimants' Representative to the Court in Response to the Debtor's Letter, dated August 5, 2022 [[Dkt. 1532](#); Adv. Pro. 21-3023, [Dkt. 126](#); Adv. Pro. 22-3000, [Dkt. 94](#); Adv. Pro. 22-3001, [Dkt. 73](#)] (the "Claimant Representatives' Response Letter").
- D. Correspondence from the Debtor to the Court in Response to the Claimant Representatives' Response Letter, dated August 8, 2022 [[Dkt. 1534](#); Adv. Pro. 21-3023, [Dkt. 127](#); Adv. Pro. 22-3000, [Dkt. 95](#); Adv. Pro. 22-3001, [Dkt. 74](#)].
- E. Plaintiffs' Brief in Support of Crime-Fraud/Waiver Motion [[Dkt. 1789](#); Adv. Pro. 21-3023, [Dkt. 168](#); Adv. Pro. 22-3000, [Dkt. 141](#); Adv. Pro. 22-3001, [Dkt. 119](#)].
- F. Defendants' Brief Regarding Proposed Protocol for Addressing and Resolving Privilege-Challenge Motion [[Dkt. 2051](#); Adv. Pro. 21-3023, [Dkt. 178](#); Adv. Pro. 22-3000, [Dkt. 150](#); Adv. Pro. 22-3001, [Dkt. 128](#)].
- G. Plaintiffs' Reply Brief in Support of Crime-Fraud/Waiver Motion [[Dkt. 2054](#); Adv. Pro. 21-3023, [Dkt. 180](#); Adv. Pro. 22-3000, [Dkt. 151](#); Adv. Pro. 22-3001, [Dkt. 129](#)].

Dated: January 3, 2023
Charlotte, North Carolina

Respectfully submitted,

/s/ Garland S. Cassada

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ATTORNEYS FOR DEBTOR AND
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